

Attachment C – Findings for Approval

Table 4 – Findings for Approval (Small Cell)

1. The applicant has a legal right to use the subject property or support structure.
2. The proposed facilities are small wireless facilities as defined in Section 20. <u> </u>
3. The applicant has provided a radio frequency (RF) report, which certifies that the proposed project would not exceed human exposure limitations established by the FCC.
4. The proposed project would not violate any applicable building code, electrical code, structural code, fire code or any other law, regulation, rule or prior condition of approval based on objective factors and reasonably related to public health, safety, and welfare.
5. The proposed facilities would not incommode the use of the public right of way, including ADA access.
6. Concurrent applications for a building permit and encroachment permit have been filed, as applicable.
7. The proposed project would meet the performance standards identified in Section 20. <u> </u>
8. The proposed project would meet the design standards identified in Section 20. <u> </u> .
9. If the facility is located on any property, or in the public right of way adjacent to any property that is within an Historic District or is a Historic Resource pursuant to the California Public Resources Code that it has been designed and sited to avoid any adverse effect on the historic character of the building, structure, or site, and will not affect its eligibility for designation.

Table 5 - Findings for Approval (6409 Eligible)

1. The applicant has a legal right to use the subject property or support structure.
2. The proposed facilities are 6409(a) Eligible, as defined in Section 20. <u> </u> , and would not result in a substantial change to the existing wireless facilities, as defined in Section <u> </u> to the extent permissible by FCC rulings and Federal law.
3. All prior regulatory approvals required for the initial construction and any later modifications to the Tower or Base Station, if any, were properly obtained.
4. The applicant has provided a radio frequency (RF) report, which certifies that the proposed project would not exceed human exposure limitations established by the FCC.
5. The collocation or modification would not violate any applicable building code, electrical code, structural code, fire code or any other law, regulation, rule or prior condition of approval based on objective factors and reasonably related to public health, safety, and welfare.
6. If located in the public right of way, the facilities would not incommode the use of the public right of way, including ADA access.
7. Concurrent applications for a building permit and encroachment permit have been filed, as applicable.

Attachment C – Findings for Approval

Table 6 - Findings for Approval (Collocated – Not 6409(a) Eligible Applications)

1. The applicant has a legal right to use the subject property or support structure.
2. The proposed facilities are collocated facilities as defined in Section 20._
3. The applicant has provided a radio frequency (RF) report, which certifies that the proposed project would not exceed human exposure limitations established by the FCC.
4. All prior regulatory approvals required for the initial construction and any later modifications to the Tower or Base Station, if any, were properly obtained.
5. The proposed project would not violate any applicable building code, electrical code, structural code, fire code or any other law, regulation, rule or prior condition of approval based on objective factors and reasonably related to public health, safety, and welfare.
6. If located within the public right-of-way, the proposed facilities would not interfere with the use of the public right of way, including ADA access.
7. The proposed project would meet the performance standards identified in Section 20._
8. The proposed project would meet the design standards identified in Section 20._.
9. All technically feasible methods to reduce the aesthetic impacts of the Facility have been included in the Application or the conditions of approval.
10. The Facility is designed, constructed and operated in such a manner to minimize the amount of noise impacts to adjacent uses and activities and will be operated in conformance with the General Plan and Zoning Ordinance noise exposure standards.
11. If the proposed facility will be located in any residential district, that this location is necessary for the provision of personal wireless services to City residents and businesses, or their owners, customers, guests, or invitees, or other persons traveling in or about the City, based on substantial evidence that locating the facility outside of a residential district is technically infeasible.
12. If the facility is located on any property, or in the public right of way adjacent to any property that is within an Historic District or is a Historic Resource pursuant to the California Public Resources Code that it has been designed and sited to avoid any adverse effect on the historic character of the building, structure, or site, and will not affect its eligibility for designation.
13. Public notice has been provided in accordance with Section 20._, as applicable.

Attachment C – Findings for Approval

Table 7 – Findings for Approval (New Macro Applications)

1. The applicant has a legal right to use the subject property or support structure.
2. The applicant has provided a radio frequency (RF) report, which certifies that the proposed project would not exceed human exposure limitations established by the FCC.
3. All prior regulatory approvals required for the initial construction and any later modifications to the Tower or Base Station, if any, were properly obtained.
4. The proposed project would not violate any applicable building code, electrical code, structural code, fire code or any other law, regulation, rule or prior condition of approval based on objective factors and reasonably related to public health, safety, and welfare.
5. If located within the public right-of-way, the proposed facilities would not interfere with the use of the public right of way, including ADA access.
6. The proposed project would meet the performance standards identified in Section 20. <input type="checkbox"/>
7. The proposed project would meet the design standards identified in Section 20. <input type="checkbox"/> .
8. All technically feasible methods to reduce the aesthetic impacts of the Facility have been included in the Application or the conditions of approval.
9. The Facility is designed, constructed and operated in such a manner to minimize the amount of noise impacts to adjacent uses and activities and will be operated in conformance with the General Plan and Zoning Ordinance noise exposure standards.
10. If a new Tower is proposed or the Applicant proposes to extend the height of an existing Tower, that it would be technically infeasible to utilize an existing Tower or another structure that could accommodate the Applicant's proposed antenna, unless the other Tower is owned by a third party.
11. If the project includes a waiver or modification of height, separation, setback, landscaping or other Zoning requirements, that the proposed modification is consistent with the purposes of this Section and will be the least intrusive feasible means of meeting the service provider's objectives.
12. If the proposed facility will be located in any residential district, that this location is necessary for the provision of personal wireless services to City residents and businesses, or their owners, customers, guests, or invitees, or other persons traveling in or about the City, based on substantial evidence that locating the facility outside of a residential district is technically infeasible.
13. If the facility is located on any property, or in the public right of way adjacent to any property that is within an Historic District or is a Historic Resource pursuant to the California Public Resources Code that it has been designed and sited to avoid any adverse effect on the historic character of the building, structure, or site, and will not affect its eligibility for designation.
14. Notice has been provided in accordance with Section 20. <input type="checkbox"/> , as applicable.